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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,217	02/22/2005	Alf Wabner	32860-000851/US	5601
30596	7590	11/28/2005	EXAMINER	
HARNESS, DICKEY & PIERCE, P.L.C.			DONOVAN, LINCOLN D	
P.O.BOX 8910			ART UNIT	
RESTON, VA 20195			PAPER NUMBER	

2832

DATE MAILED: 11/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/525,217

Applicant(s)

WABNER, ALF

Examiner

Lincoln Donovan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 6-11 and 17-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 12-16 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2-22-05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

Claims 6-11 and 17-21 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected claimed embodiment, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 09-19-05.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 12-16 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abot et al. [US 5,323,132] in view of Pollmann [US 3,942,143].

Regarding claims 1-3, 5, and 22, Abot et al. discloses an electromagnetic switching device [figure 2] comprising:

- a main contact [7-9] including a number of fixed contacts and a movable main contact bridge;
- an auxiliary contact [13-15] which leads during the switch-on process and which includes a number of fixed contact and a movable auxiliary contact bridge;
- spring biasing means for the contacts [12];
- a contact bridge carrier [6] provided for actuating the main contact bridge and the auxiliary contact bridge, wherein when the switching device is switched on, the

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auxiliary contact bridge in a first stable position closing the auxiliary contact which leads the main contact by the contact bridge carrier being mechanically actuated and wherein when the switching device is switched off, the auxiliary contact with the auxiliary contact bridge is located in a second stable position opening before the main contact by the contact bridge carrier being mechanically actuated in the opposite direction [abstract, column 1, lines 25-45 and column 3, lines 40-58].

Abot et al. disclose everything claimed except the contact bridge members being springs.

Pollmann et al. discloses a contactor having main and auxiliary contacts [9, 8] mounted on springs [figure 1].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to mount the contacts of Abot et al. on springs, as suggested by Pollmann et al., in order to provide good contact pressure.

Regarding claims 4 and 15-16, Pollmann et al. further shows stop members on the contact carrier engaging the auxiliary contact bridge [figure 1].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the contact carrier design of Pollmann et al. for the contact carrier of Abot et al. in order to break any contact welding.

Regarding claims 12-13, Abot et al. and Pollmann et al. disclose the contact bridges being in parallel with each other and perpendicular to the carrier [figures 2 and 1, respectively].

Regarding claim 14, Pollmann et al. further disclose the auxiliary contact bridge mounted in the contact bridge at a suspension point which cannot be displaced relative to the contact bridge carrier [figure 1].

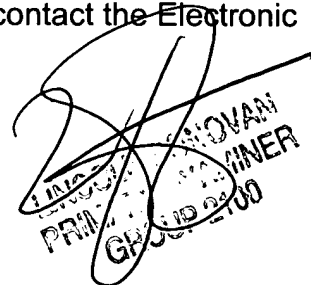
It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the carrier design of Pollmann et al. for the suspension points of Abot et al. in order to provide direct actuation.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lincoln Donovan whose telephone number is 571-272-1988. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Enad Elvin can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


LINCOLN DONOVAN
PATENT EXAMINER
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